

By Senator Torres

15-01302-17

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1 A bill to be entitled
2 An act relating to emergency scenes; creating s.
3 877.28, F.S.; providing a definition; prohibiting
4 removal of tangible personal property from an
5 emergency scene in certain circumstances; providing
6 criminal penalties; providing enhanced penalties in
7 certain circumstances; providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Section 877.28, Florida Statutes, is created to
12 read:

13 877.28 Removal of property from an emergency scene.—

14 (1) As used in this section, the term "emergency scene"
15 means the area in which there is an imminent danger of death or
16 bodily injury due to a temporary occurrence or condition or
17 threat thereof.

18 (2) A person may not remove or attempt to remove tangible
19 personal property from an emergency scene if the person knows or
20 should know that such removal or attempt to remove will obstruct
21 or impede another person in leaving the emergency scene in a
22 life-threatening circumstance.

23 (3) A person who violates subsection (2) commits a
24 misdemeanor of the second degree, punishable as provided in s.
25 775.082 or s. 775.083, unless such violation:

26 (a) Causes bodily injury to another person, in which case
27 the person commits a misdemeanor of the first degree, punishable
28 as provided in s. 775.082 or s. 775.083;

29 (b) Causes serious bodily injury, as defined in s. 316.027,

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30 to another person, in which case the person commits a felony of
31 the third degree, punishable as provided in s. 775.082, s.
32 775.083, or s. 775.084; or

33 (c) Causes the death of another person, in which case the
34 person commits a felony of the second degree, punishable as
35 provided in s. 775.082, s. 775.083, or s. 775.084.

36 Section 2. This act shall take effect October 1, 2017.